

STATE OF MAINE

DEPARTMENT OF MARINE RESOURCES

IN THE MATTER OF THE APPLICATION OF)	
MAINE COAST NORDIC AND ISAAC BEAL TO)	FINDINGS OF FACT,
TRANSFER AN AQUACULTURE LEASE LOCATED)	CONCLUSIONS OF LAW
EAST OF SAND COVE NORTH, GREAT WASS)	AND DECISION
ISLAND IN EASTERN BAY, BEALS, WASHINGTON)	
COUNTY, MAINE, TO MAINE COAST NORDIC, INC.)	

On February 22, 2001, Maine Coast Nordic and Isaac Beal applied for transfer of an aquaculture lease (tracts: 567-07 and 568-07) granted to Maine Coast Nordic and Isaac Beal on July 23, 1997 to Maine Coast Nordic, Inc.

The aquaculture lease allows Maine Coast Nordic, Inc. the right to conduct the cultivation, harvesting and taking of Atlantic salmon, Atlantic cod, haddock and Atlantic halibut using pen culture techniques on a 10.0 acre lease site located east of Sand Cove North, Great Wass Island in Eastern Bay, Beals, Washington County, Maine.

Notice of the application was published in the April 2001 issue of Commercial Fisheries News and the March 28, 2001 and April 18, 2001 issues of the Machias Valley News Observer.

The public and interested parties were given to April 28, 2001 to request a hearing on the application for transfer. No requests for a hearing on the application for transfer were received by the Department either on or before April 28, 2001, or at any time subsequent, up to the date of this decision.

Applications for transfer of interest in aquaculture leases are governed by 12 M.R.S.A. §6072(12-A), which provides that a lease may be transferred if the transfer is not for speculative purposes.

Chapter 2.60(3)(3) of the Department of Marine Resources regulations dealing with aquaculture leases, indicates that "speculative purposes" shall be found to exist whenever the owner of a lease to be transferred has not conducted any substantial aquaculture on the lease sites, including, but not limited to, seeding, cultivation, or harvesting organisms.

Based on the information contained in the original application and evidence taken at the original hearing and the application for transfer, it appears that the transfer for lease interest in this instance will not violate 12 M.R.S.A. §6072(7-A) or §6072(8), nor be for speculative purposes.

Decision

The Commissioner of Marine Resources grants the application of Maine Coast Nordic and Isaac Beal to transfer the lease granted to Maine Coast Nordic and Isaac Beal by the Department of Marine Resources on July 23, 1997 for 10.0 acres located east of Sand Cove North, Great Wass Island in Eastern Bay, Beals, Washington County, Maine, to Maine Coast Nordic, Inc. In assuming this lease, Maine Coast Nordic, Inc. is subject to the same terms, conditions, and obligations as set forth in the original lease.

Dated: _____

George D. Lapointe (Commissioner)
Department of Marine Resources